

Appl. No. : 10/074,722
Filed : February 11, 2002

REMARKS

Amendments to the Claims

Applicants respectfully request entry of the Amendments to the Claims set forth above. Claims 10-12, 21, and 28 have been canceled without prejudice. Independent Claim 1 has been amended to recite seed phase conditions comprising flowing trisilane. Independent Claims 20 and 33 have been amended to recite flowing a silicon source gas comprising trisilane. The use of trisilane is described throughout the specification and in the original claims, see, e.g., paragraphs 0023, 0057, 0075, 0078 to 0080, 0085 to 0087, 0101 to 0103, 0105, and original Claims 12 and 21. Dependent claims 6, 13, 14, 22, 23, 25, and 36-38 have been amended to provide proper antecedent basis.

Applicants reserve the right to file divisional and/or continuation applications containing claims directed to all or part of the subject matter described in the instant application, including the subject matter of any claims amended or canceled at any time during the prosecution of this application, and thus unclaimed subject matter is not dedicated to the public.

Information Disclosure Statements (IDS's)

Applicants acknowledge receipt of a copy of the initialed PTO-1449 form listing references provided to the Office with the IDS submitted on August 27, 2002 (3 references). However, the Examiner's initials next to reference 10163485 (Japan, abstract) on the PTO-1449 form provided with that IDS were not legible on Applicants' copy. Therefore, Applicants respectfully request a legible copy of the initialed PTO-1449 form listing references provided to the Office with the IDS submitted on August 27, 2002.

In addition, Applicants respectfully request copies of the initialed PTO-1449 forms listing references provided to the Office with the IDS's submitted on April 7, 2004 (1 reference) and June 1, 2004 (1 reference).

Claim Rejections – 35 U.S.C. § 103(a)

Claims 1-47 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,373,112 ("Murthy") in view of U.S. Patent No. 6,319,782 ("Nakabayashi") and U.S. 5,879,970 ("Shiota"). Applicants respectfully traverse these rejections.

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Applicants respectfully submit that the Office has not established a *prima facie* case of obviousness. In particular, for each of Claims 1-47, the Office has failed to meet at least one of the three criteria for establishing a *prima facie* case, for the reasons previously stated in the Remarks submitted by Applicants on February 25, 2004 (incorporated herein by reference).

However, to reduce prosecution costs, Applicants have amended the claims as set forth above to recite the use of trisilane. Applicants respectfully submit that Murthy, Nakabayashi and Shiota only disclose the use of silane (SiH_4) or disilane (Si_2H_6), and do not teach or suggest the use of trisilane, let alone the use of trisilane in combination with the other limitations recited in Claims 1-9, 13-20, 22-27, and 29-47. Therefore, Applicants respectfully request reconsideration and withdrawal of the rejection of Claims 1-47 under 35 U.S.C. §103(a) as being unpatentable over Murthy in view of Nakabayashi and Shiota.

Conclusion

Applicants respectfully submit that the instant application is in condition for allowance, early notification of which would be appreciated. The Office is respectfully invited to contact Applicants' representative at the telephone number provided below with any questions regarding this application.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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